



The House Committee on
HOMELAND SECURITY

Peter T. King (R-NY), Chairman

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Statement of Chairman Dan Lungren

**Subcommittee on Cybersecurity, Infrastructure Protection and
Security Technologies**

**Markup of H.R. 2658, The Federal Protective Service Reform
and Enhancement Act**

July 28, 2011

Remarks as Prepared

Today, we are meeting to consider H.R. 2658 the Federal Protective Service Reform and Enhancement Act, which I introduced on Tuesday. My bill would increase oversight of the Contract Guard Program, standardize training and realize efficiencies at the Federal Protective Service. As I have previously stated, the Federal Protective Service is a vital component of our nation's homeland security. The security of government buildings is critical to protecting hundreds of thousands of government employees and maintaining the vital day to day functions of our government. Our government buildings are targets with terrorists already demonstrating their capacity and willingness to attack.

On July 13th, the Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technology heard testimony from a variety of stakeholders including FPS, GAO, the FPS Union, and NASCO, the leading contract security guard industry group. All testified that the current status quo at FPS is unacceptable. Of note, the Subcommittee heard testimony from Mark Goldstein from the Government Accountability Office, who testified that over the last four years, GAO made 28 recommendations to FPS and none of those 28 recommendations have been fully implemented. While I understand Director Patterson has been on the job for less than a year, this failure

to respond to these important recommendations is unacceptable. As Chairman of this Subcommittee, I believe legislative action is necessary and warranted.

My goal as Chairman of this Subcommittee, is to work on these issues in a bipartisan manner. I believe this legislation focuses on important security issues that should have bipartisan consensus. This consensus has already been demonstrated by the ideas offered by our Subcommittee Members. And in that spirit, I would like to thank the Ranking Member for working with us as we look for ways to strengthen the security of our federal buildings and reduce the risk to federal employees and their visitors.

This bill under consideration today is a result of numerous oversight hearings, GAO reports, and outreach to the Department and the private sector. H.R. 2658 authorizes the functions and responsibilities of the Federal Protective Service within the Department of Homeland Security. In addition, it would require the FPS Director to ensure background investigations are conducted for contract guards and building service contractors. It would also require the Director to establish minimum training and certification standards for contract guards in arrest and control procedures, weapons training, operation of emergency equipment, access control, CPR and Basic First Aid.

In addition, this legislation would require the Federal Protective Service to provide at least 16 hours of x-ray and magnetometer training before a guard may stand post. It also requires the DHS Secretary to submit to Congress a 5-year staffing needs plan, addressing GAO's concerns that FPS is unable to focus on its long-range needs. Further, the bill would authorize FPS to conduct a covert testing program to test guard competency and training. It would also clarify that FPS has primary authority to secure and respond to incidents at government facilities owned, occupied, or secured by any component of the Federal Government, except those already subject to security requirements under Federal law, such as DOD. This would address long standing GAO concerns regarding ambiguity of who is responsible for responding to law enforcement incidents where multiple Federal agencies may be co-located.

Also, the bill would improve security in Federal facilities by requiring the FPS Director to publish a qualified vendors and products list to standardize training and deployment of personnel and technology. It would require FPS to enter into a Memorandum of Agreement with DHS's S&T Transportation Security Lab to provide expertise,

consultation, exchange of information, and testing of technology covered by the qualified vendor and product lists.

Finally, the bill would require the FPS Director to issue a prohibited items list that would prohibit certain dangerous items from being brought into a Federal Building. Such a list would remove ambiguity and allow for greater standardization for contract guard deployment and training.

I look forward to working in a bipartisan manner on this important FPS legislation.

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